

CREATION OF
PUBLIC DEFENDER ADVISORY COUNCIL
REGION 1

WHEREAS the Montana Public Defender Act provides for the provision of legal representation in a variety of cases throughout the State of Montana.

WHEREAS the Montana Public Defender Act also provides for a system that is responsive to and respective of regional and community needs and interests.

WHEREAS quality, cost-effective representation is also dependent on meeting the needs of people and courts throughout the state.

WHEREAS the public defender services provided in Region 1 as established by the strategic plan of the Public Defender Commission must meet the needs of the clients and citizens of Region 1 as well as the judicial systems in that region.

NOW, THEREFORE, I, Randi M. Hood, Chief Public Defender, hereby create the Region 1 Public Defender Advisory Council (PDAC) within the Office of State Public Defender (OPD) effective January 1, 2007 in accordance with the provisions of Section 2-15-122, MCA.

I. Mission/Purpose

A. Mission:

The mission of the PDAC is to provide information concerning whether the public defender services in Region 1 are meeting the needs within the region and to provide input in evaluating the quality of public defender services.

B. Purpose:

The purpose of the PDAC is to address concerns as to how well the public defender system is meeting the needs of the clients, judiciary, and the affected populations within the region. The PDAC will make recommendations on solving problems or improving the delivery of quality public defender services.

II. Membership:

A. The PDAC will have sufficient members to represent the district courts, courts of limited jurisdiction, and other judicial agencies as well as the public in the region. The membership will represent these groups as follows:

- i. Representatives of each of the district courts;
- ii. Not less than two representatives of the courts of limited jurisdiction;
- iii. A representative of the ACLU, if available;
- iv. A representative from juvenile probation;
- v. A representative from adult probation and parole and/or pre-trial supervision services;
- vi. A representative from the Native American community or other minority community within the region;
- vii. A representative from the private criminal bar;
- viii. Two representatives from the community.

- B. One-half (1/2) of the members shall serve a one (1) year term and the remaining one-half (1/2) of the members shall serve a two (2) year term. At the first meeting of the PDAC, the membership shall determine by consensus which members serve one year and which serve two years. The membership shall also elect a chairperson and vice-chairperson.
- C. The regional deputy public defender and any managing attorneys from public defender offices in the region shall attend all meetings of the PDAC and provide any assistance or information as requested.
- D. The PDAC shall hold public meetings quarterly unless otherwise determined by the membership.

III. Operating Procedures

The PDAC shall adopt operating procedures to govern its efforts.

IV. Duration:

The PDAC shall exist until the first day of January, 2009.

V. Approval:

Submitted to the Governor for approval this _____ day of _____, 2006.

Randi M. Hood
Chief Public Defender
Office of the State Public Defender

I, Brian Schweitzer, Governor of the State of Montana, pursuant to the authority vested in me by Section 2-15-122(9), MCA, do hereby approve the creation of the Region 1 Public Defender Advisory Council within the Office of the State Public Defender, as requested by Randi M. Hood, Chief Public Defender, Office of the State Public Defender.

GIVEN under the hand the GREAT
SEAL of the State of Montana this
_____ Day of _____, A.D., 2006

Brian Schweitzer, Governor

ATTEST:

Brad Johnson, Secretary of State